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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/824,434

04/15/2004

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EXAMINER

TAN, ALVIN H

ART UNIT

PAPER NUMBER

2173

NOTIFICATION DATE

DELIVERY MODE

06/23/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/824,434	<b>Applicant(s)</b> YOON ET AL.	
	<b>Examiner</b> ALVIN H. TAN	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 40-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 40-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                     |                                                                   |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                         | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Remarks*

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 4/15/10. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith.

Claims 40-43 have been examined and rejected. This Office action is responsive to the amendment filed on 4/15/10, which has been entered in the above identified application.

### *Drawings*

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

3. *[Figure 8c]* of the drawings are objected to under 37 CFR 1.83(a) because it fails to show weather information as described in the specification *[paragraph 97]*. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended

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replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 40-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Zanchi (U.S. Patent No. 5,814,798).

#### **Claims 40, 41 (Apparatus)**

#### **Claims 42, 43 (Method)**

6-1. Regarding claims 40 and 42, Zanchi teaches the claim comprising: a UI providing module that is placed inside a predetermined device and provides a user based UI, by disclosing an application device having software which allows

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interoperation with a device containing display preferences for an individual user  
*[column 3, lines 6-30]*.

Zancho teaches wherein the UI providing module comprises: an input/output module storage unit for storing a plurality of input/output modules, by disclosing that the donor device comprises reference preference memory *[figure 10, '720']*.

Zancho teaches wherein the UI providing module comprises: an input/output module selection unit for determining whether at least one input/output module identification information relevant to user based identification information given by a user is searched from a plurality of stored input/output module identification information and for selecting all the determined input/output module identification information relevant to the user based identification information among the plurality of the stored input/output module identification information, by disclosing a personnel attribute selection software *[figure 10, '710']* that interfaces with the application device to determine which portions and which information should be provided for from the reference preference memory for a particular session *[column 6, lines 30-38]*. The donor device uses information indicative of a user, such as a user code, to determine a user's reference preference set *[column 6, lines 39-48; column 9, lines 49-55; column 10, lines 62-66]*.

Zancho teaches that the input/output module selection unit identifies relative priority level of a plurality of the selected input/output module identification information, by disclosing that when inadequate preferences are stored in the attribute cell at an intersection of the requisite axes (based on a received preference selection vector), a

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prediction procedure may be used to determine preferences *[column 8, lines 16-23, 32-52]*. The prediction procedure may use a variety of methods to determine preferences such as identifying the next best preferences stored in adjacent attribute cells of the preference selection matrix *[column 8, lines 32-52]*. Thus, the prediction procedure identifies preferences in the reference preference set based on the preferences' priority over other preferences within the set.

Zancho teaches a data format determination unit for determining whether input/output modules corresponding to the selected input/output module identification information are available based on the identified priority level, by disclosing providing a mechanism to establish and manage preferences compatible with all new models of various types of telephone, automobile, computer, or other type of conformable equipment *[column 1, lines 55-59; column 2, lines 31-33]*. When determining which preferences to select, the prediction procedure may narrow down the reference preference set based on the received vector *[column 9, lines 22-27]* such as by basing the prediction on adjacent attribute cells *[column 8, lines 39-52]* or basing the prediction on the device or environment *[column 8, lines 47-52; column 10, line 52 to column 11, line 1]*. Those preferences which are closest to the preference selection matrix have the highest priority than those that aren't. Thus, the prediction process determines which ones of the preferences from the reference preference set will be available to the user for use in the application *[column 11, lines 49-60]*.

Zancho teaches an input/output module execution unit for executing the determined available input/output module with the highest priority level among all

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available input/output modules; and an input/output processing unit for providing a user based UI in response to the executed input/output module, by disclosing that preferences with the highest priority level may be selected *[column 11, lines 54-60; line 65 to column 12, line 3]* to define the attributes for the application device *[column 2, lines 58-65]*.

6-2. Regarding claims 41 and 43, Zanchi teaches the claim with respect to claims 40 and 42, further comprising: an external UI providing module determining additionally at least one input/output module identification information relevant to the user based identification information in a communicational remote module in case all the determined input/output module identification information relevant to the user based identification information are not searched among the plurality of the stored input/output module identification information, by disclosing that another device may act as a donor device for the user's preferences *[column 3, lines 31-41; figure 6]*.

### ***Response to Arguments***

7. The Examiner acknowledges the Applicant's cancellation of claims 1-39 and the addition of claims 40-43. Regarding claim 40, Applicant alleges that Zanchi does not expressly teach "executing the determined available input/output module with the highest priority level among all available input/output modules". Contrary to Applicant's arguments, Zanchi discloses that the donor device uses information indicative of a user, such as a user code, to determine a user's reference preference set *[column 6,*

*lines 39-48; column 9, lines 49-55; column 10, lines 62-66*]. Thus, the reference preference set for the particular user may be considered the input/output module identification information. When inadequate preferences are stored in the attribute cell at an intersection of the requisite axes (based on a received preference selection vector), a prediction procedure may be used to determine preferences [*column 8, lines 16-23, 32-52*]. The prediction procedure may use a variety of methods to determine preferences such as identifying the next best preferences stored in adjacent attribute cells of the preference selection matrix [*column 8, lines 32-52*]. Thus, the prediction procedure identifies preferences in the reference preference set based on the preferences' priority over other preferences within the set. When determining which preferences to select, the prediction procedure may narrow down the reference preference set based on the received vector [*column 9, lines 22-27*] such as by basing the prediction on adjacent attribute cells [*column 8, lines 39-32*] or basing the prediction on the device or environment [*column 8, lines 47-52; column 10, line 52 to column 11, line 1*]. Those preferences which are closest to the preference selection matrix have the highest priority than those that aren't. Thus, the prediction process determines which ones of the preferences from the reference preference set will be available to the user for use in the application [*column 11, lines 49-60*]. Preferences with the highest priority level may be selected [*column 11, lines 54-60; line 65 to column 12, line 3*] to define the attributes for the application device [*column 2, lines 58-65*].

Applicant states that dependent claims 41 and 43 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding



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independent claims 40 and 42. However, as discussed above, Zanco (U.S. Patent No. 5,814,798) is considered to teach claims 40 and 42, and consequently, claims 41 and 43 are rejected.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN H. TAN whose telephone number is (571)272-8595. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on 571-272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alvin H Tan/  
Examiner, Art Unit 2173